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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HADONA DIEP,

Plaintiff,

v.

APPLE INC.,

Defendant.

CASE NO. 4:21-CV-10063-PJH

STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND TIME TO
RESPOND TO THE COMPLAINT

Judge: Hon. Phyllis J. Hamilton

1 Pursuant to Civil Local Rule 6-1 and 6-2, Plaintiff Hadona Diep (“Plaintiff”) and
2 Defendant Apple Inc. (“Defendant,” and together with Plaintiff, the “Parties”), by and through
3 undersigned counsel of record, hereby stipulate with respect to Defendant’s time to respond to the
4 Complaint as follows:

5 WHEREAS, on September 16, 2021, Plaintiff filed a Complaint in the United States
6 District Court for the District of Maryland (Dkt. No. 1);

7 WHEREAS, on November 4, 2021, Plaintiff moved to transfer the case to the United
8 States District Court for the Northern District of California (Dkt. No. 13);

9 WHEREAS, on December 23, 2021, the United States District Court for the District of
10 Maryland ordered that the above-captioned case be transferred to the United States District Court
11 for the Northern District of California (the “December 23 Order”) (Dkt. No. 19);

12 WHEREAS, the December 23 Order further stated that “Defendant’s response to the
13 Complaint shall be due forty-five days after the date on which this case is transferred and opened
14 in the United States District Court for the Northern District of California.” (Dkt. No. 19);

15 WHEREAS, the above-captioned matter was then transferred and opened on December 29,
16 2021, in this Court (Dkt. No. 20), thereby setting Defendant’s deadline to respond to the
17 Complaint as February 14, 2022;

18 WHEREAS, the Parties have met and conferred, and it is understood between the Parties
19 that Plaintiff intends to file an Amended Complaint on or before March 15, 2022. As such, the
20 Parties agree that it would be inefficient to engage in motions practice or responsive pleading
21 relating to a Complaint that will shortly be amended;

22 WHEREAS, the Parties agree that this extension of time is for legitimate purposes and is
23 not intended to cause unnecessary delay, and no party will be prejudiced by the extension;

24 WHEREAS, the Parties stipulate and agree that Defendant’s response to the Amended
25 Complaint shall be due forty-five (45) days after the date on which the Amended Complaint is
26 filed with the Court;

27 WHEREAS, there have been no previous time modifications in this case;

NOW, THEREFORE, the Parties stipulate and agree as follows:

1. Defendant shall have an extension of time to respond to the Complaint in this action until forty-five (45) days after the date on which the Amended Complaint is filed with the Court.
2. Nothing in this Stipulation shall be construed as a waiver of any Party's rights or position in law or equity, or as a waiver of any defenses, including but not limited to those based on jurisdiction, venue, standing, and failure to state a claim upon which relief may be granted.

Dated: February 10, 2022

DLA PIPER LLP (US)

By: /s/ Isabelle L. Ord

ISABELLE L. ORD
Attorneys for Defendant
APPLE INC.

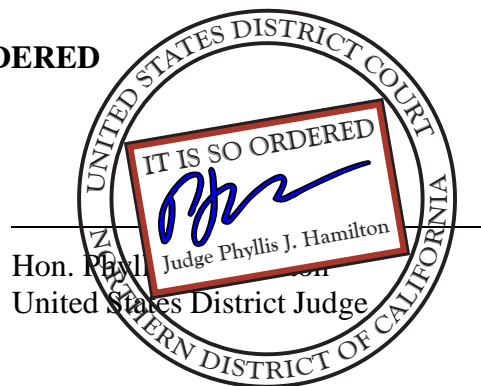
ADELPHI LAW

By: /s/ Edward N. Griffin

EDWARD N. GRIFFIN
JOSHUA G. WHITAKER
Attorneys for Plaintiff

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: February 11, 2022



FILER ATTESTATION

I, Isabelle L. Ord, attest under Local Rule 5-4.3.4(a)(2)(i) that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: February 10, 2022

DLA PIPER LLP (US)

By: /s/ Isabelle L. Ord

ISABELLE L. ORD

Attorneys for Defendant

APPLE INC.